



LOCAL AUTHORITIES BOARD

BOARD ORDER NO. 20511

FILE: BIRC/SV-3

IN THE MATTER OF THE "Municipal Government Act":

AND IN THE MATTER OF THE "County Act":

AND IN THE MATTER OF an application by the Council of the Summer Village of Birchcliff, in the Province of Alberta, to annex certain territory lying immediately adjacent thereto and thereby its separation from the County of Lacombe No. 14.

Pursuant to an application by the Summer Village of Birchcliff, in the Province of Alberta, requesting annexation of certain lands which lie immediately adjacent to the existing boundaries, the Board has considered the subject application which is for the purpose of residential development and possible expansion of the Pentecostal camp.

The territory proposed for annexation consists of a single parcel owned by Jack and Anna Leeti who by a letter dated September 24, 1992, to the Summer Village of Birchcliff advised they support annexation of the parcel to the Summer Village.

The County of Lacombe No. 14 advised the Board by letter dated November 16, 1992, that Council at its regular meeting of November 12, 1992, reviewed the proposal and adopted a motion to offer no objection to the proposed annexation.

The Annexation Committee of the Red Deer Regional Planning Commission reviewed the annexation proposal and adopted the following motion:

"That the Annexation Committee, on behalf of the Red Deer Regional Planning Commission, support the annexation of lands to the Summer Village as petitioned by the Summer Village of Birchcliff."

The Annexation Committee, in recognizing that Sylvan Lake is a very important regional recreation resource and environmentally significant area, also adopted the following supplementary motion:

"That the Annexation Committee recommend that the Summer Village of Birchcliff prepare a General Municipal Plan, which sets the direction for future land use and development, which is respectful of the impact of the community on Sylvan Lake, and that if municipal expansion is desired that this be the subject of a joint plan or planning agreement with any adjoining municipalities."

By memorandum to the Board dated October 26, 1992, Alberta Transportation and Utilities advised that the Department offers no objection to the annexation proposed by the Summer Village of Birchcliff.

Alberta Environment, by memorandum dated November 9, 1992, advised the Board that upon reviewing the annexation proposal the Department has no objections to the annexation by the Summer Village of Birchcliff.

Alberta Agriculture advised the Board by memorandum dated October 30, 1992, that:

"1. The proposed area is Canada Land Inventory Class 5 soil and is not considered better agricultural land.

2. The proposed area is adjacent to the existing Summer Village boundary and there are numerous subdivisions on the quarter.

Alberta Agriculture has no objections to the proposed annexation of Part NW 17-39-1-W5 to the Summer Village of Birchcliff provided the L.A.B. is satisfied that the area is required for Village use."

From the information submitted to the Board it would appear that annexation for the purpose of residential development and expansion of an existing recreational camp appears warranted.

THEREFORE, subject to the Lieutenant Governor in Council approving this Order, or prescribing conditions that the Order is subject to and approving the Order subject to those conditions, or varying the Order and approving the Order as varied, IT IS ORDERED AS FOLLOWS:

I. That there be annexed to the Summer Village of Birchcliff, in the Province of Alberta, and thereupon be separated from the County of Lacombe No. 14, the following described territory:

ALL THAT PORTION OF THE NORTH WEST QUARTER OF SECTION SEVENTEEN (17), TOWNSHIP THIRTY NINE (39), RANGE ONE (1), WEST OF THE FIFTH MERIDIAN, WHICH LIES NORTH EAST OF THE NORTH EASTERLY LIMIT OF THE LAND SUBDIVIDED UNDER PLAN 4112 E.O. AND WHICH LIES EAST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT A POINT IN THE NORTH EASTERLY LIMIT OF BIGAM AVENUE AS SHOWN ON SAID PLAN 4112 E.O. AT ITS INTERSECTION WITH THE PRODUCTION NORTH EASTERLY OF THE SOUTH EASTERLY LIMIT OF LOT 34, BLOCK 1, AS SHOWN ON SAID PLAN 4112 E.O., THENCE NORTHERLY IN A STRAIGHT LINE TO A POINT ON THE NORTH LIMIT OF THE SAID QUARTER SECTION, THE SAID POINT BEING DISTANT 1,600 FEET EASTERLY FROM THE NORTH WEST CORNER THEREOF

THE ABOVE DESCRIBED LANDS CONTAIN TWENTY TWO AND SEVENTY HUNDREDTHS (22.70) HECTARES, (56.10 ACRES), MORE OF LESS.

(A sketch showing the general location of the annexed lands is attached as Schedule "A".)

- II. That any taxes owing to the County of Lacombe No. 14 as at December 31, 1992, in respect of the aforementioned properties shall transfer to and become payable to the Summer Village of Birchcliff together with any lawful penalties and costs levied thereon in respect of any such taxes; however, upon the said Summer Village collecting any or all of such taxes, penalties or costs, such collection shall forthwith be paid by the Summer Village of Birchcliff to the County of Lacombe No. 14.
- III. That the assessor for the Summer Village of Birchcliff shall, for taxation purposes in the year 1993, reassess the annexed lands and assessable improvements thereon, which are by this Order annexed to the Summer Village of Birchcliff, so that the assessment thereof shall be fair and equitable with other lands and assessable improvements in the Summer Village of Birchcliff, and the provisions of the Municipal Taxation Act regarding the assessment roll shall mutatis mutandis apply to such assessment.
- IV. That the Chief Provincial Assessor, appointed pursuant to the provisions of the Municipalities Assessment and Equalization Act, shall for taxation or grant purposes commencing in the year 1993, reassess or revalue, as the case may be, all properties that are assessable or subject to valuation under the terms of the Electric Power and Pipeline Assessment Act and the Municipal and Provincial Properties Valuation Act, and which lie within the areas that are by this Order annexed to the Summer Village of Birchcliff, so that the assessment or valuation shall be fair and equitable with properties of a similar nature.

V. That the effective date of this Order is the 31st day of December, 1992.

Dated and signed at the City of Edmonton, in the Province of Alberta, this 17th day of December, 1992.

LOCAL AUTHORITIES BOARD

(SGD.) ARCHIE R. GROVER
CHAIRMAN

CERTIFIED A TRUE COPY


BOARD SECRETARY

SCHEDULE "A"

A SKETCH SHOWING THE GENERAL LOCATION OF THE
AREAS AFFECTED BY BOARD ORDER NO. 20511

EFFECTIVE DATE: DECEMBER 31, 1992

AFFECTED AREA(S):

